# North Ayrshire Council Equality and Children's Rights Impact Assessment

This form will assist in carrying out an Equality Impact Assessment (and where appropriate Children's Rights Impact Assessment) of new, revised and existing policies and practices. Guidance on how to complete assessments is given in the Council's **Equality and Children's Rights Impact Assessment Toolkit**. The form is mandatory and must be published on the Council website once the policy or practice has been approved.

Section 1: Details

**1.1: Directorate**: Place

**Section**: Neighbourhood Services – Waste Resources

#### 1.2 Name of Policy or Practice being assessed:

Review collection frequency for Absorbent hygiene Products (AHP).

Please indicate if it is:

New: ☐ Existing: ☐ Budget Proposal: ☒

**Budget Reference Number (if applicable):** SP/PL/24/17

Amount (£) of saving if appropriate (or N/A): £75,000 - 2024/25.

#### 1.3 List of participants in Equality (& CRIA) Impact Assessment:

Wallace Turpie, Senior Manager Waste Resources - Operations, David Mackay - Senior Manager Waste Resources - Strategy, Thomas Reaney - Head of Neighbourhood Services.

#### 1.4 Manager responsible for impact assessment:

Name: Wallace Turpie

**Designation:** Senior Manager Waste Resources & Streetscene (Operations)

#### 1.5 Timetable:

**Date Assessment started**: 22/02/2024 **Interim Review Date**: 22/02/2024

Section 2: Aims & Relevance

#### 2.1 What is the purpose of the policy, practice of proposal?

The Waste Resource Service currently provides a separate fortnightly collection service for Absorbent hygiene Products (AHP) on the mainland and on Cumbrae only. The proposal aims to continue providing the AHP service on a three-weekly basis, by integrating the collection of AHP bins with the residual waste collection service.

### 2.2 Who (indicate the equality groups is affected by the policy or practice as an internal or external service user?

Age (older people), residents with a disability and families with very young children using nappies.

2.3 Are there any children's rights (based on the Articles of the UNCRC – Appendix 2) that are impacted on through the proposal? (for further information please refer to the Equality and Children's Rights Toolkit)

Yes - ☐ Please also complete the CRIA questions in Appendix.

No - ☑ Please complete this form only.

Questions 2.4 – 2.6 refer to the 'Three Key Needs' of the Equality Duty

2.4 Which aspects of the policy eliminate unlawful discrimination, harassment and victimisation?

Not applicable.

2.5 Which aspects of the policy advance equality of opportunity between people which share a relevant protected characteristic and those who do not?

Not applicable.

2.6 Which aspects of the policy foster good relations between people who share a protected characteristic and those who do not? (Does it tackle prejudice and promote a better understanding of equality issues).

Not applicable.

2.7 Have any cross-cutting impacts been identified from other Council Services or Partner Agencies (multiple discrimination or accumulated effects of multiple proposals on a protected characteristic group)?

None identified.

2.8 If Crosscutting issues identified with other Services, what discussion/interaction has taken place to mitigate any potential negative impacts of accumulated proposals?

Not applicable.

Section 3: Collecting Information

3.1 What evidence were you able to access about the needs of relevant protected groups?

#### **Potential sources of Evidence:**

The AHP collection service is provided across North Ayrshire mainland and Cumbrae to all householders, which includes the protected characteristics age and disability. It is estimated that of 66,458 households, 985 have access to the AHP service. However, presentation rates for collection average 44% indicating the majority of customers registered for the scheme do not use the current fortnightly service.

#### Source(s) of Evidence used for this assessment:

Information from the Lagan/EM Pro CRM contact centre system and the Waste Collection Powersuite software system demonstrate that the AHP service is provided across North Ayrshire mainland and Cumbrae, including all SIMD areas within North Ayrshire. Information obtained from a survey of other councils conducted by the Corporate Transformation Team indicates that approximately 76% (747) of these customers utilise the service for adult medical purposes, 12% (116) use the service to dispose of children's nappies, 2% (20) is child/medical and 10% (102) is currently not flagged in the system. There are 378 customers in receipt of an AHP collection that also receive the Assisted Collection Service.

#### 3.2 Are there any gaps in your evidence?

No.

Section 4: Impacts

4.1 From the list of protected characteristic groups identified in section 2.3 please identify any potential positive and negative impacts on any of these protected characteristics?

Protected Characteristic	Yes	No	Please Explain (Positive or Negative
Age - Older people, children and young people – please identify which categories will be affected	$\boxtimes$		The impact on the elderly will be minimal, as the AHP service will be provided on a three-weekly basis along with the collection of other residual waste.
<b>Disability</b> - Physical and Learning	X		The impact on those residents with a disability is minimal, as the AHP service will be provided on a three-weekly basis along with the collection of other residual waste.
Gender reassignment - Where a person is living as the opposite gender to their birth			Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.
Pregnancy and Maternity			The impact on pregnancy and maternity in terms of nappy collection will be minimal, as the AHP service will be provided on a three-weekly basis along with the collection of other residual waste.
Race, ethnicity, colour, nationality or national origins - (including gypsy/ travellers, refugees and asylum seekers		×	Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.
Religion or belief - Includes religious and philosophical beliefs, including no belief		×	Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.
Sex - Women and Men			Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.

Protected Characteristic	Yes	No	Please Explain (Positive or Negative
Sexual Orientation - Lesbian, gay and bisexual people			Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.
Marriage and Civil Partnership - marriage between same sex couples is included			Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.
Care Experienced - This term refers to anyone who is currently in care or has been for any length of time regardless of their age, and includes Kinship Care (other family members); Looked After At Home (with support from social work); Residential Care; Foster Care; Secure Care; Adoption.			Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.
Other - Poverty, homelessness, ex-offenders, isolated rural communities, carers, part-time workers, or people in a marriage/civil partnership			Though not targeted at this specific characteristic, there may be a minimal effect on any resident who uses the current AHP service.

4.2 If there is a possibility that Young People will be impacted through this policy either directly or indirectly – please complete the Children's Rights Assessment in Appendix 1.

The proposed policy change will not directly impact on children and young people. There is an indirect impact on the 116 families registered to use the service for disposal of nappies.

Fairer Scotland Duty

4.3 The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010 places a legal responsibility on the Council to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage when making decisions (further guidance is available here).

Does the proposal have the potential to have a significant impact on inequalities of outcome caused by socio-economic disadvantage? (Consider low income; low wealth; material deprivation; area deprivation; communities of place or interest, socio-economic background).

Please explain/explore the key issues below:

Low Income/Income Poverty: Cannot afford to maintain regular payments such as bills, food and clothing

The proposal is unlikely to have an impact on those on low income or living in poverty.

Low and/or no wealth: Having enough money to meet basic living costs and pay bills but have no savings to pay for any unexpected spends and no provision for the future.

The proposal is unlikely to have an impact on those on low income or living in poverty.

**Material Deprivation:** Being unable to access basic goods and services, i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies

The proposal is unlikely to have an impact on those on low income or living in poverty.

Area Deprivation: Where you live (rural areas), where you work (accessibility of transport.

The proposal is unlikely to have an impact on those on low income or living in poverty.

# 4.4 If impacts have been identified how will these be mitigated or explored in more detail? (please outline below)

As the AHP Service will still be provided on a three-weekly basis, the impact on householders is expected to be minimal.

#### 4.5 Island Proofing

Island Proofing is about considering the particular needs and circumstances of island communities when public sector organisations exercise their functions and make decisions. This has been added to the process of assessing the Council Plan and includes a range of issues such as access to services, digital connectivity, employment and access to education; transport and access to goods and services.

The policy change would have the same impact on the island community (Cumbrae), as it would on mainland communities.

There is no AHP service provided on Arran, as a fortnightly residual waste collection is still in place on the Island. Therefore, there would be no impact on the island community on Arran from this proposal. The impact on island communities has therefore been considered as part of the assessment.

#### Section 5: Assessment

#### 5.1 Is there any evidence that the policy:

- may result in less favourable treatment for particular groups?
- may give rise to direct or indirect discrimination?
- may give rise to unlawful harassment or victimisation?

Yes: ⊠	No: □	No evidence: □

#### If yes, give details:

The change to the collection frequency of the AHP Service from fortnightly to three-weekly would have a minimal effect on a small number of householders with elderly, disabled occupants, or families with very young children across North Ayrshire mainland and Cumbrae.

# 5.2 If you have identified a negative impact for any protected characteristic, how will you modify this?

The AHP service will still be provided on a three-weekly basis, along with the residual waste collection service, to minimise any negative impact for protected characteristics. Where

5.3 Is the policy or practice intended to promote equality by permitting positive action to remove or minimise disadvantage? Yes: □ No: ⊠ If Yes, please give details: N/A 5.4 Will the policy lead to positive outcomes for people based on a protected characteristic? (please explain): No. Section 6: Consultation & Recommendations 6.1 Describe the consultation undertaken with equality groups, including details of the groups involved and the methods used. Not at this time, however Elected Members have been engaged as part of the budget setting process. Section 7: Outcome of Assessment Please ensure children's rights have been considered (appendix 1) before completing this section 7.1 Please detail the outcome of the assessment by choosing an option below: No major alterations to the policy assessed: the ECRIA (and socio-economic impact) demonstrates the policy is robust and there is no possible discrimination or adverse impact. All opportunities to promote equality have been taken.  $\Box$ 2. Adjust the policy: the ECRIA (and socio-economic impact) identifies potential problems of missed opportunities. Adjust the policy to remove barriers or better promote equality. \Box 3. Continue the policy: the ECRIA (and socio-economic impact) identifies the potential for adverse impact or missed opportunities to promote equality. Set out the justifications for continuing with it in the ECRIA, in line with the duty to have due regard. For the most important policies, compelling reasons will be needed. 4. Stop and remove the policy: the policy shows actual or potential unlawful discrimination. It

households require additional capacity for their waste, then the need for additional containers

would be assesses on a case-by-case basis.

must be removed or changed □

7.2 For Outcome 2. in section 7.1 above - please detail recommendations, including any action required to address negative impacts identified or to better promote equality.

By still providing the AHP Service on a three-weekly basis, this will address the negative impacts identified. Where households require additional capacity for their waste, then the need for additional containers would be assessed on a case-by-case basis.

7.3 Please state the key issues and recommendations arising from the Children's Rights Impact Assessment (if applicable)?

The proposal will not directly impact on any groups of young people within the 116 customers who use the service for disposal of nappies.

7.4 If Outcome 3 is chosen from section 7.1 above, please outline the justifications for continuing the policy/procedure.

Not applicable.

Section 8: Monitoring

8.1 Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure if outcomes are achieved.

Communication and advice will be provided to the public regarding the changes and complaints and service requests will be monitored by service management. Participation in the scheme will also be monitored. Householders will still receive the service on a three-weekly basis.

8.2 Describe how you will publish the results of monitoring arrangements?

Service complaints are monitored closely by service management and a quarterly complaints analysis is discussed at a meeting with the service's Chief Officer.

8.3 When is the policy or practice due to be reviewed?

No current plans for review of the proposal. However, statistics on service enquiries and complaints are reviewed through the service's quarterly performance meetings with the Chief Officer.

8.4 Head of Service who has approved impact assessment.

Please insert name and title of the Head of Service who has approved this assessment.

Name: Thomas Reaney

Title: Head of Neighbourhood Services

**Date:** 20/02/2024

#### Section 9: Publication

9.1 All Equality Impact Assessments must be published on the Council website. Please forward to Andrew Hale (andrewhale@north-ayrshire.gov.uk).

#### **Useful Guidance**

Equality and Human Rights Commission: Assessing impact and the public sector duty: A guide for public authorities (Scotland) (2012)

**Equality and Human Rights Website** 

Children's Rights:

- Childrens and Young People Commissioner Scotland website
- Scottish Government Website Children's Rights

#### Appendix 1

When considering the Children's Right's Impact process, some of the key considerations should be recorded in the EIA question section, including any evidence, research and consultation (including any consultation with young people)

#### **Assessing the Impact and Presenting Options**

1. Please indicate if possible how many children and young people (nearest estimate) are likely to be affected by the policy or measure?

N/A

2. Are some children and young people more likely to be affected than others?

If, Yes what groups? (consider protected characteristics – e.g. disabled young people, LGBT etc:

N/A

3. What Children's Rights are likely to be affected by the policy/proposal?

Please refer to Table 2 (Appendix 2) – summary of Children's Rights measured against the

Children's Wellbeing indicators and insert the relevant rights and indicators in the table below:

Wellbeing indicator (e.g. safe, healthy etc)	Children's Right (e.g. 22 – refugee children)
Click or tap here to enter text.	Click or tap here to enter text.

4. What likely impact will the policy/proposal have on Children's Rights and Wellbeing?

	Positive (Explain)	Negative (Explain)
Wellbeing Indicators/	Click or tap here to enter	Click or tap here to enter text.
Children's Rights -	text.	
	Positive (Explain)	Negative (Explain)
Other Protected	Click or tap here to enter	Click or tap here to enter text.
Characteristics	text.	·

- 5. If Negative impacts are identified how will these be mitigated or the effect reduced? Not applicable.
- 6. Are there any resource implications of policy modification or mitigation? If so please state:

  Not applicable.
- 7. Conclusions and Recommendations from Children's Rights Assessment (please transfer these to section 7.3 of the main Equality and Children's Impact Assessment report above)

  Not applicable.

### Appendix 2

### **Wellbeing Indicators (GIRFEC)**

Wellbeing Indicator	Short Description of the indicator
Safe	Protected from abuse, neglect and harm
Healthy	Having the best possible standards of physical and mental health; support to make healthy, safe choices
Achieving	<ul> <li>Accomplishing goals and thereby boosting skills, confidence and self- esteem; 'being all they can be'.</li> </ul>
Nurtured	Having a loving and stimulating place to live and grow
Active	Having opportunities to take part in a wide range of activities
Respected	Being enabled to understand their world, being given a voice, being listened to, and being involved in the decisions that affect their wellbeing.
Responsible	Taking an active role within their home, school and community.
Included	Being a full member of the communities in which they live and learn; receiving help and guidance to overcome inequalities.

### Links between Wellbeing Indicators and Articles of the UNCRC

Wellbeing Indicator	Articles of the UNCRC (Rights of the Child)
Safe	11: abduction and non-return of children
Garc	'Children and Young People have the right to' be protected from being kidnapped or taken out of the country when they shouldn't be.
	19: protection from violence, abuse and neglect 'Children and Young People have the right to' be kept safe from harm and protected against violence. They must be given proper care by those looking after them.
	22: refugee children 'Children and Young People have the right to' special help and be allowed to live somewhere that is safe if they are a refugee.
	32: child labour  'Children and Young People have the right to' protection from doing work which would be dangerous or interfere with their education. If they are under 16 there are laws about where, when and for how long they can work
	<b>33: drug abuse</b> 'Children and Young People have the right to' be protected from dangerous drugs.
	34: sexual exploitation 'Children and Young People have the right to' never be pressurised or forced into doing anything sexual. They have the right to be protected from it.
	<b>35: abduction, sale and trafficking</b> 'Children and Young People have the right to' be protected from being abducted or sold. People should never make them do anything against their will, like marry someone.
	<b>36: other forms of exploitation</b> 'Children and Young People have the right to' be protected from being taken advantage of in any way and have the right to be protected from any sort of exploitation.
	37: inhumane treatment and detention 'Children and Young People have the right to' be treated with respect if they have committed a crime. They should not be locked up unless it is absolutely necessary and they will get legal help.
	38: war and armed conflicts 'Children and Young People have the right to' not to be forced to go into the army or take part in war if they are under 15. In Scotland, they have to be 16 to join and are not normally allowed to fight until they are 18.
Healthy	3 – best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.

Wellbeing Indicator	Articles of the UNCRC (Rights of the Child)
	6 – life, survival and development
	'Children and Young People have the right to' be kept safe from harm, they have the right to be alive, survive and develop through life.
	24 - health and health services
	'Children and Young People have the right to' if they are ill, be given good healthcare so they can get well again. They have the right to live in a safe, healthy environment with good food and clean drinking water.
	39 - recovery and rehabilitation of child victims 'Children and Young People have the right to' special support to help them recover if they have been hurt or badly treated.

Wellbeing Indicator	Articles of the UNCRC (Rights of the Child)
Safe	11 - abduction and non-return of children  'Children and Young People have the right to' be protected from being kidnapped or taken out of the country when they shouldn't be.
	<b>19 - protection from violence, abuse and neglect</b> 'Children and Young People have the right to' be kept safe from harm and protected against violence. They must be given proper care by those looking after them.
	22 - refugee children  'Children and Young People have the right to' special help and be allowed to live somewhere that is safe if they are a refugee.
	32 - child labour  'Children and Young People have the right to' protection from doing work which would be dangerous or interfere with their education. If they are under 16 there are laws about where, when and for how long they can work
	33 - drug abuse 'Children and Young People have the right to' be protected from dangerous drugs.
	34 - sexual exploitation 'Children and Young People have the right to' never be pressurised or forced into doing anything sexual. They have the right to be protected from it.
	<b>35 - abduction, sale and trafficking</b> 'Children and Young People have the right to' be protected from being abducted or sold. People should never make them do anything against their will, like marry someone.
	<b>36 - other forms of exploitation</b> 'Children and Young People have the right to' be protected from being taken advantage of in any way and have the right to be protected from any sort of exploitation.
	37 - inhumane treatment and detention 'Children and Young People have the right to' be treated with respect if they have committed a crime. They should not be locked up unless it is absolutely necessary and they will get legal help.
	38 - war and armed conflicts 'Children and Young People have the right to' not to be forced to go into the army or take part in war if they are under 15. In Scotland, they have to be 16 to join and are not normally allowed to fight until they are 18.

Wellbeing	Articles of the UNCRC (Rights of the Child)
Indicator	
Healthy	<b>3 – best interests of the child</b> 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.
	6 – life, survival and development 'Children and Young People have the right to' be kept safe from harm, they have the right to be alive, survive and develop through life.
	24 - health and health services 'Children and Young People have the right to' if they are ill, be given good healthcare so they can get well again. They have the right to live in a safe, healthy environment with good food and clean drinking water.
	<b>39 - recovery and rehabilitation of child victims</b> 'Children and Young People have the right to' special support to help them recover if they have been hurt or badly treated.
Achieving	4 – implementation of the convention  'Children and Young People have the right to' have their rights are protected and an environment where they can grow up safe.
	18 - parental responsibilities and state assistance 'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.
	28 - right to education 'Children and Young People have the right to' have an education. In Scotland education is free and children three years old are entitled to a free nursery place.
	29 - goals of education 'Children and Young People have the right to' learn and develop their skills and personality fully, teach them about their own and other people's rights and prepare them for adult life.

Wellbeing Indicator	Articles of the UNCRC (Rights of the Child)
Nurtured	4 – implementation of the convention
	Children and Young People have the right to' have their rights are protected and an environment where they can grow up safe
	5 - parental guidance and a child's evolving capacities 'Children and Young People have the right to' their parents being responsible to guide them through their childhood and help them learn how to use their rights.
	18 - parental responsibilities and state assistance 'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.
	20 - children deprived of a family 'Children and Young People have the right to' special care if they can't live with their parents. They may be looked after by other members of their family or by a different family.
	21 - adoption 'Children and Young People have the right to' if they are being adopted, this must only happen under very strict rules which make sure that what is happening is best for them.
	25 - review of treatment in care 'Children and Young People have the right to' if they are looked after in a care home or somewhere else away from home, have their living arrangements looked at regularly to make sure they are still what's best for them.
	27 - adequate standard of living 'Children and Young People have the right to' a safe place to live, food, clothing and to take part in things they enjoy.
Active	3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.
	23 - children with disabilities 'Children and Young People have the right to' if they have any kind of disability, have special help to make sure they can join in with things.
	31 - leisure, play and culture 'Children and Young People have the right to' rest, play and have the chance to join a wide range of activities. It is really important to remember to have a balance in their life.

#### Respected

#### 2 - non-discrimination

'Children and Young People have the right to' have the convention that applies to everyone under the age of 18, no matter who they are, whether they are a boy or a girl, what their religion is, whether they have a disability, or what type of family they come from.

#### 3 - best interests of the child

'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.

#### 4 – implementation of the convention

Children and Young People have the right to' have their rights are protected and an environment where they can grow up safe

#### 5 - parental guidance and a child's evolving capacities

'Children and Young People have the right to' their parents being responsible to guide them through their childhood and help them learn how to use their rights.

#### 8 - protection and preservation of identity

'Children and Young People have the right to' know who they are – official records should be kept. If they are over 16 years old and adopted, they can try to find out who they birth parents are.

#### 12 - respect for the views of the child

'Children and Young People have the right to' speak up and have their opinions listened to and be taken seriously by adults on things that affect them.

#### 13 - freedom of expression

'Children and Young People have the right to' say whatever they believe as long as it does not harm or offend other people. They also have the responsibility to respect the rights and freedom of others.

#### 14 - freedom of thought, belief and religion

'Children and Young People have the right to' to choose their own religion and beliefs. Their parents should help them think about this.

#### 16 - right to privacy

'Children and Young People have the right to' their own space and privacy. For example, they shouldn't have their personal letters opened or anyone listening in to their personal phone calls.

#### 17 - access to information; mass media

'Children and Young People have the right to' access information which is important to their wellbeing. Adults should help them find information they are looking for and make sure it's not harmful.

#### 18 - parental responsibilities and state assistance

'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.

# 30 - the right to learn and use the language, customs and religion of their family

'Children and Young People have the right to' enjoy their own culture, use their own language and practise their own religion.

Wellbeing Indicator	Articles of the UNCRC (Rights of the Child)
Responsible	3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.
	12 - respect for the views of the child 'Children and Young People have the right to' speak up and have their opinions listened to and be taken seriously by adults on things that affect them.
	14 - freedom of thought, conscience and religion 'Children and Young People have the right to' choose their own religion and beliefs. Their parents should help them think about this.
	15 - freedom of association 'Children and Young People have the right to' join and form groups and make friends – as long as this does not harm other people.
	40 - juvenile justice 'Children and Young People have the right to' be given legal assistance if they have committed a crime. The Convention also states that they should only be sent to prison if they have committed a serious crime.
Included	3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.
	6 - life, survival and development 'Children and Young People have the right to' be kept safe from harm, they have the right to be alive, survive and develop through life.
	18 - parental responsibilities and state assistance 'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.
	23 - children with disabilities 'Children and Young People have the right to' if they have any kind of disability, have special help to make sure they can join in with things.
	26 - social security 'Children and Young People have the right to' help and financial support from the Government if they need it.
	27 - adequate standard of living 'Children and Young People have the right to' a safe place to live, food, clothing and to take part in things they enjoy.